

NOURSE & BOWLES, LLP
Attorneys for Plaintiff
EMERALD WAVE INC.
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At 55 Broadway
New York, NY 10006-3030
(212) 952-6200

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
EMERALD WAVE INC.

Plaintiff,

- against -

CKI MINERALS & METALS CO., LTD. and
CHINA KINGDOM INTERNATIONAL GROUP
CO., LTD.,

Defendants.
-----X

JUDGE CROTTY

08 CV 0125

08 Civ. ()

**AFFIDAVIT IN SUPPORT OF
APPLICATION FOR
MARITIME ATTACHMENT**

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

John P. Vayda, being duly sworn, deposes and says:

1. I am a member of the firm of Nourse & Bowles, LLP attorneys for Plaintiff, EMERALD WAVE INC., and make this affidavit in support of Plaintiffs' application for the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B(1) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.

2. Based upon my inquiries and to the best of my information and belief, Defendants, CKI Minerals & Metals Co., Ltd. and China Kingdom International Group Co., Ltd., are foreign corporations and cannot be "found" within this District for the purpose of attachment

under Rule B. In support of this position, I and my staff have conducted the following investigation:

(a) I and my staff contacted the office of the New York Department of State, Division of Corporations on January 3, 2008, via the official Department of State website at <http://www.dos.state.ny.us> and conducted a search for corporations named “CKI Minerals & Metals Co., Ltd.” and “China Kingdom International Group Co., Ltd.” and the search results indicated that neither CKI Minerals & Metals Co., Ltd. nor China Kingdom International Group Co., Ltd. are New York corporations, nor are they licensed, authorized or registered to do business in the State of New York as either domestic or international corporations;

(b) I and my staff consulted with Directory Assistance for New York on January 3, 2008 for area codes (212), (718), (917), (646), (347), (914), (845), and no listings for CKI Minerals & Metals Co., Ltd. or China Kingdom International Group Co., Ltd. were located;

(c) I and my staff reviewed the Journal of Commerce (Business Directory) Transportation Tickler, 2007 Edition (Vol. 1 New York Metropolitan Area) and no listings were found for CKI Minerals & Metals Co., Ltd. or China Kingdom International Group Co., Ltd.;

(d) I and my staff accessed on January 3, 2008, through Microsoft Internet Explorer and Yahoo! Search engines the yellow pages telephone directory database and found no listing in that database for any office or agent of CKI Minerals & Metals Co., Ltd. or China Kingdom International Group Co., Ltd. in the State of New York;

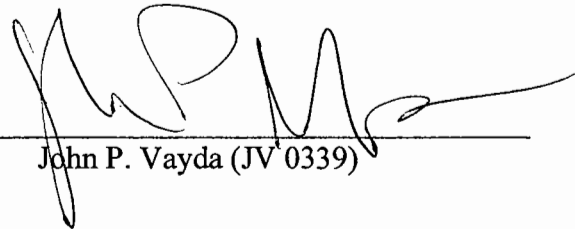
(e) I and my staff accessed on January 3, 2008, through Microsoft Internet Explorer and Google search engines and found no listing for any office or agent of

CKI Minerals & Metals Co., Ltd. or China Kingdom International Group Co., Ltd. in the State of New York;

(f) I and my staff are unaware of any general or managing agent(s) within this District for CKI Minerals & Metals Co., Ltd. or China Kingdom International Group Co., Ltd.

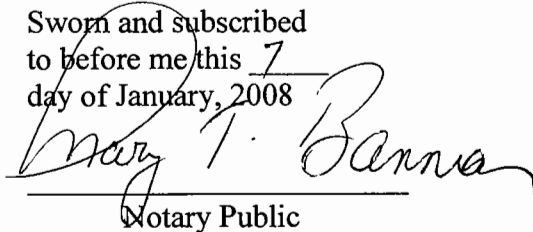
3. Based upon the foregoing, I submit that Defendants CKI Minerals & Metals Co., Ltd. or China Kingdom International Group Co., Ltd. cannot be "found" within this District for the purpose of an attachment pursuant to Rule B and therefore Plaintiff seeks an order of attachment against the tangible and intangible property of CKI Minerals & Metals Co., Ltd. or China Kingdom International Group Co., Ltd. as may be found within this District up to and including the amount of the claim specified in the Verified Complaint.

4. No previous application for an Order of Attachment and Garnishment or similar relief has been sought in the United States in this matter.



John P. Vayda (JV 0339)

Sworn and subscribed
to before me this 7
day of January, 2008



Mary T. Bannon

Notary Public

MARY T. BANNON
Notary Public, State of New York
No. 01BA4785995
Qualified in New York County
Commission Expires February 28, 2010